



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

*Philip M. Goldstein, Chairperson
Van Pearlberg
Jim King*

Wednesday, April 27, 2011

Council Chamber

Immediately following the Parks, Recreation and Tourism Committee

Presiding: Philip M. Goldstein
Present: Van Pearlberg
Absent: Jim King

Also Present:

*R. Steve Tumlin, Mayor
Annette Lewis, Council - Ward 1
Grif Chalfant, Council - Ward 2
Johnny Sinclair, Council - Ward 3
Rev. Anthony Coleman, Council - Ward 5
William F. Bruton, Jr., City Manager
Douglas R. Haynie, City Attorney
Stephanie Guy, City Clerk*

CALL TO ORDER:

Chairman Philip M. Goldstein called the meeting to order at 7:00 p.m.

MINUTES:

20110289 Regular Meeting - March 29, 2011

Review and approval of the March 29, 2011 regular meeting minutes.

A motion was made by Council member Pearlberg, seconded by Council member Goldstein, that this matter be Approved. The motion carried by the following vote:

Vote: 3 - 0 - 0 Approved

BUSINESS:

20110266 Booting for parking violations

Update on the issue of "booting."

Chairman Goldstein called forward those wishing to speak regarding this matter.

Mr. Bob Tillman, who resides at 210 Mountain Brook Court and co-owner of property located at 25 and 27 Atlanta Street, spoke regarding this matter.

Council member Goldstein disclosed that Benny and Sue Robinson (Robinson's Coins) lease parking spaces from him at 48 Atlanta Street, Marietta. He owns property at 19-21 Atlanta Street, Marietta, as well as many other properties in Downtown Marietta and in the City of Marietta. Other family members and entities also own property in the City of Marietta.

Mr. Benny Robinson, owner of Robinson's Coins, expressed concern regarding the use of booting within Marietta.

Council Member Goldstein disclosed that he has an agreement with Gary Eubanks on property located at or near Denmead Street, Marietta.

Mr. Gary Eubanks, 600 St. James Place, owns property on the square and also uses the booting system.

Council member Chalfant expressed concern regarding Council member Goldsteins' participation in the discussion regarding booting stating that there was a financial conflict of interest. Council member Goldstein stated for the record that he has no financial interest in any booting company nor does he use booting companies.

Council member Goldstein disclosed that Gary Leake is a tenant of PMG Whitlock Avenue, LLC at 19 Atlanta Street, Marietta GA, and he is the owner of and manager of said LLC.

Mr. Gary Leake, who owns property on the Square, spoke regarding this matter.

Mr. Wallace Briner, who resides at 1906 Martin Road, was recently booted in the City of Marietta and expressed concern regarding booting system.

Mr. Brett Tillman, co-owner of property located at 25 and 27 Atlanta Street, spoke regarding this matter.

Mr. James Cuttcliff, who is an employee at the business located at 9 Atlanta Street, spoke briefly regarding this matter.

In depth discussion was held relative to the booting of vehicles.

A motion was made by Council Pearlberg, seconded by Council member Goldstein, to Refer this matter to the next Judicial/Legislative Committee for further discussion. The motion was carried by the following vote:

Vote: 2 – 0 – 0

Referred to the Judicial/Legislative Committee

(Clerk's Note: Further discussion regarding Booting for parking violations was held at the end of the meeting.)

20110368 Overlay District

Motion authorizing staff to move forward with a Study/Master Plan for the proposed Kennestone Hospital Overlay District.

Approval to authorize staff to move forward with a Study/Master Plan proposed Kennestone Hospital Overlay District.

This matter was Recommended for Council Agenda Non Consent

20110370 Crosswinds Subdivision

Request to revise letter of stipulations for Crosswinds Subdivision

This matter was Removed

Further discussion was held regarding for Booting for parking violations. It was suggested that this matter be placed on the Council Agenda Work Session agenda to allow Council member King the opportunity to voice his opinion.

A motion was made by Council Pearlberg, seconded by Council member Goldstein, to rescind the motion to refer this matter to the next Judicial/Legislative Committee. The motion was carried by the following vote:

Vote: 2 – 0 – 0 Approved

A motion was made by Council Pearlberg, seconded by Council member Goldstein, to Refer this matter to the next Judicial/Legislative Committee for further discussion. The motion was carried by the following vote:

Vote: 2 – 0 – 0 Referred to the Council Agenda Work Session

ADJOURNMENT:

The meeting was adjourned at 9:03 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____